



GRETCHEN WHITMER
GOVERNOR


STATE OF MICHIGAN
DEPARTMENT OF
ENVIRONMENT, GREAT LAKES, AND ENERGY
LANSING



LIESL EICHLER CLARK
DIRECTOR

VIA E-MAIL

TO: Governor Gretchen Whitmer
Members of the Michigan Legislature

FROM: Liesl Eichler Clark, Director 

DATE: March 10, 2021

SUBJECT: Air Quality Division Annual Program Report – Fiscal Year 2020

In accordance with Sections 5522(8) and (9) of Part 55, Air Pollution Control, of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended, attached is the Department of Environment, Great Lakes, and Energy's (EGLE) Air Quality Division (AQD) Annual Program Report for fiscal year 2020.

If you need further information, please contact Michael Jackson, Manager, Administration Section, AQD, at 517-899-3288; or you may contact me at 517-284-6708.

Attachment

cc/att: Chris Harkins, Director, Senate Fiscal Agency
Mary Ann Cleary, Director, House Fiscal Agency
David Massaron, Director, State Budget Office
JoAnne Huls, Chief of Staff, Governor's Office
George W. Cook, III, Legislative Affairs Director, Governor's Office
Emily Laidlaw, Policy Director, Governor's Office
Ben Dawson, Senate Fiscal Agency
Austin Scott, House Fiscal Agency
Jacques McNeely, State Budget Office
Carly Kirk, State Budget Office
Aaron B. Keatley, Chief Deputy Director, EGLE
Amy Epkey, Senior Deputy Director, EGLE
Travis Boeskool, Legislative Liaison, EGLE
Paul McDonald, EGLE
Dale Shaw, EGLE
Mary Ann Dolehanty, EGLE
Michael Jackson, EGLE

**MICHIGAN DEPARTMENT OF ENVIRONMENT, GREAT LAKES, AND ENERGY
AIR QUALITY DIVISION ANNUAL PROGRAM REPORT – FISCAL YEAR 2020**

This year-end report from the Department of Environment, Great Lakes, and Energy (EGLE), Air Quality Division (AQD), is required to detail Emissions Control Fund appropriations. The information is organized as directed by Section 5522(8) of Part 55, Air Pollution Control, of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended.

A) A total of 122.2 full-time equated positions performed enforcement, compliance, and permitting activities. From that total, 59.6 full-time equated positions performed these activities in the Title V Program as defined in Section 5501 of Part 55. The other 62.6 full-time equated positions performed enforcement, compliance, and permitting activities in the non-Title V Program.

B) Permits to Install:

i. There were 331 permit to install (PTI) applications received in fiscal year (FY) 2020.

ii.

Permits to Install - Final Actions	Total Number
Final action taken on applications and permits.	490
Applications approved.	298
Applications denied.	4
Applications and permits voided (45 of which were due to issuance of Renewable Operating Permits).	201

iii.

Approved Permits to Install	Total Number
Number required to complete public participation before final action.	9
Number not required to complete public participation before final action.	289

iv. The average number of final permit actions per reviewer (full-time equated) is 26.

	Permits to Install	Percentage	Total Number
v.	Applications reviewed for administrative completeness within 10 days of receipt by EGLE.	96	286
vi.	Applications reviewed for technical completeness within 30 days of receipt by EGLE.	99	296
vii.	Applications submitted to EGLE that were administratively complete as received.	93	277
viii.	Applications for which a final approval was taken within 60 days of receipt of a technically complete application for those not required to complete public participation or within 120 days if public participation was required.	74	222

C) Renewable Operating Permit (ROP) Program:

- i. A total of 72 ROP applications were received in FY 2020.
- ii. The AQD received 48 new requests for ROP modifications in FY 2020.

ROP - Final Actions	Total Number
Final action taken on ROP applications.	50
Applications approved.	50
Applications denied.	0
Applications voided (withdrawn by the applicant).	0

ROP		Percentage	Total Number
iii.	Permit applications initially processed within the required time.	100	4
iv.	Permit renewals processed within the required time.	76	35
	Permit modifications processed within the required time.	35	10
v.	Permit applications reopened by EGLE.	N/A	1
vi.	General permits issued by EGLE.	N/A	N/A

NOTE: An ROP modification application is made once a subject facility has obtained a Permit to Install and has commenced operations. The intent of the ROP modification is to incorporate the new requirements from the Permit to Install into the ROP. The ROP is renewed every five years. If a modification is submitted within 18 months of the renewal date, the modification will be held and the change requested in the modification will be made in the renewal process. While the renewal is pending or until the changes have been incorporated into the ROP, a facility continues to operate under the conditions of the Permit to Install. This process does not affect the ability to operate nor the AQD's ability to ensure compliance. The AQD started processing modifications in February 2012. AQD staff processed 39 modifications outside of an ROP renewal or voidance process. Out of 88 existing modification applications, 58 will be incorporated during the ROP renewal.

D) There were 363 (including Asbestos) Violation Notices sent during FY 2020.

E) Penalty money collected from all consent orders and judgments was \$1,208,621.75.

F) Enforcement actions that included payment of penalty:

Company Name	Enforcement Action
Lukazcek Excavating and Drainage, LLC	AQD No. 2019-23
Viant Medical, Inc.	AQD No. 2019-26
Skillman Corporation	AQD No. 2019-27
Superior Wrecking, Inc.	AQD No. 2019-28
Real Alloy Recycling, LLC, and Real Alloy Specification, LLC	AQD No. 2019-29
PPI Aerospace, LLC	AQD No. 2020-01
Roe Brothers, Inc.	AQD No. 2020-02
100 E. Patterson, LLC	AQD No. 2020-03

Company Name (Cont'd.)	Enforcement Action
EnerVest Operating, LLC	AQD No. 2020-04
Belden & Blake, LLC dba Ward Lake Energy	AQD No. 2020-05
AP Sag, LLC	AQD No. 2020-06
Melvindale Investments, LLC	AQD No. 2020-07
Dow Silicones Corporation	AQD No. 2020-08
Maessaros Trucking, Inc.	AQD No. 2020-09
RJ Torching, Inc. dba as RJ Industrial Recycling	AQD No. 2020-10
Albrecht Sand and Gravel	AQD No. 2020-12
Intertape Polymer Corporation	AQD No. 2020-14

- G)** The total number of inspections was 840. The number of inspections done for ROP sources was 219. The number of inspections of non-ROP sources was 621.
- H)** A total of 3,802 complaints were received during FY 2020 (2,968 of the 3,802 complaints pertain to the Arbor Hills Landfill). Complaints were logged, prioritized, evaluated, and resolved according to the AQD's procedures. A complaint is considered resolved if the problem has been abated, a Violation Notice requesting a compliance program has been sent, the district staff was not able to verify the problem, or the complaint was not under the AQD's jurisdiction and a referral was made to the appropriate agency. An on-site inspection was conducted for approximately 77 percent of the complaints. A telephone call or letter followed up the other complaints.
- I)** The following represents the number of contested case hearings and civil actions initiated and completed, and the number of voluntary consent orders, administrative penalty orders, and emergency orders entered or issued for Title V sources:

Enforcement	Total Number
Hearings	0
Civil Actions	0
Consent Orders	16
Administrative Penalty Orders	1
Emergency Orders	0

- J)** Revenue in the Title V fund at the end of FY 2020 was \$2,892,813.

The information on the following page is required by Section 5522(9) of Part 55:

AQD EXPENDITURES BY FUND AND PROGRAM FUNCTION:

Program Function	General and Other Funds Total (51%)	USEPA Grants (26%)	Air Fees (23%)	Total (100%)
Permit Section	2,311,118 (18%)	329,376 (5%)	178 (1%)	2,640,672 (10%)
Enforcement Unit	325,729 (2%)	73,793 (1%)	321,356 (5%)	720,878 (3%)
Field Operations	5,868,506 (44%)	2,228,740 (34%)	4,903,008 (82%)	13,000,254 (50%)
Air Quality Evaluation Section	3,518,129 (27%)	3,987,403 (60%)	146,906 (2%)	7,652,438 (30%)
Administration	1,136,934 (9%)	10,620 (0%)	592,410 (10%)	1,739,964 (7%)
Total AQD Expenditures	13,160,416 (100%)	6,629,932 (100%)	5,963,858 (100%)	25,754,206 (100%)
Revenues Appropriated	13,332,578	7,341,045	10,340,700	31,014,323

NOTE: Air Emissions Fund expenditures of \$138,403 from EGLE's Environmental Support Division are not included in the above totals.

GENERAL AND OTHER FUNDS:

Program Function	General Fund	Refined Petroleum Fund	Dry Cleaning License Fees	Oil & Gas	Public Utility Assessment	Renew MI	Total
Permit Section	1,771,095	407,317		26,219		106,487	2,311,118
Enforcement Unit	141,242	49,918				134,569	325,729
Field Operations	3,998,110	665,940	129,554	115,967		958,936	5,868,507
Air Quality Evaluation Section	1,038,247	2,410,528			69,353		3,518,128
Administration	967,699	169,236					1,136,935
Total AQD Expenditures	7,916,393	3,702,939	129,554	142,186	69,353	1,199,992	13,160,417
Revenues Appropriated	7,916,393	3,718,385	205,400	142,400	150,000	1,200,000	13,332,578